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ABSTRACT

Facing limited financial resources and a need to encourage large-scale school improvements, state legislators are addressing selected educational problems through such policy approaches as funding experimental programs, designing incentives for school improvement, and encouraging parental involvement. Identified within this document are a number of creative legislative approaches to educational issues initiated during the 1988 National Conference of State Legislatures session; due to the high volume of state interest, six topics were chosen for discussion. First, demonstration projects, court involvement, and revocation of driving privileges are outlined as methods of solving the problem of at-risk youth. Second, early childhood education is examined as a means of placing young, at-risk students on the road to educational success. Third, student incentives and alternative certification are targeted in the effort to attract quality candidates to the teaching profession. Fourth, school policy formation and governance are mentioned. Fifth, a 1988 Colorado comprehensive school finance act is noted. And sixth, strengthening community/parental involvement through school choice and greater home schooling opportunities and expanding community participation and educational opportunities are addressed. (KM)

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SELECTED LEGISLATIVE INNOVATIONS IN STATE EDUCATION POLICY: 1988

by

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Vol. 13, No. 37 **December 1988**

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INTRODUCTION

State legislators play a key role in finding new ways to tackle old problems in education. Issues such as at-risk youth, early childhood education, and community involvement in education were not adequately addressed in earlier education reform policies. Facing limited financial resources and a need to encourage large-scale school improvements, state legislators are attempting to address these issues through such policy approaches as funding experimental projects, designing incentives for school improvement, and encouraging parental involvement in education.

This State Legislative Report identifies a number of creative legislative approaches to education issues initiated during the 1988 session. It is divided into six sections chosen because of the high volume of state interest in these topics: at-risk youth, early childhood education, teaching, governance, school finance, and higher education.

AT-RISK YOUTH

A well-educated citizenry is essential if the United States is going to compete successfully in today's complex world economy. Yet, the demands of businesses may not be met in the future because many students are dropping out of school or graduating without the skills necessary to survive in the job market. State legislators play an important role in ensuring that the education system meets the needs of potential dropouts. The following section examines some of the most innovative initiatives passed in 1988 addressing the problem of at-risk youth. Three main approaches are discussed: demonstration projects, court involvement, and revocation of driving privileges.

Demonstration Projects. Demonstration projects, implemented at selected local schools or districts, allow states to test a program without committing a large amount of state resources. These programs have more lenient guidelines than most statewide programs and therefore allow for more experimentation with educational resources, staff time and teaching methods. A successful program can be duplicated or expanded upon throughout the state--and throughout the nation. In 1988 several legislatures enacted laws providing for demonstration projects affecting at-risk youth.

Arizona's HB 2217 requires the Arizona State Board of Education to establish two four-year projects for at-risk youth. The Legislature has earmarked $3 million for one project that targets students in grades K-3, and $1.5 million for a second project that targets students in grades 7-12. School districts with a high percentage of at-risk students are eligible to submit project proposals. "At-risk" students are defined according to the following criteria: absenteeism, socio-economic status, limited English proficiency, family mobility (K-3), and student achievement (derived from standardized tests).

A Rhode Island bill (HB 7923) establishes three "governor's schools" to better serve at-risk children. A "governor's school exploratory task force" composed of 13 members--administrators, representatives of various education organizations, and at least one parent--will define goals and objectives for the schools. The bill also requires the department of education to develop a system to track school attendance, academic progress, alternative programs and the personal history of at-risk students.

Maryland's school districts will be submitting proposals to the State Department of Education for dropout prevention projects due to the passage of SB 270. Combining business and education efforts, the Maryland General Assembly earmarked $3.1 million to support dropout prevention programs in the state. The programs will enhance education, counseling, training and work assistance for students ages 14-21 who are at risk of dropping out of school. Maryland's 10 private industry councils (PICs) will administer and direct the programs, while

local schools will identify and recruit at-risk students for the programs, provide technical assistance and make spending recommendations (the final budget is decided by the PICs).

Court Involvement. In 1988, states found ways to connect the justice and education systems to combat the dropout problem.

The Kentucky General Assembly passed legislation that allows sentences to include mandatory completion of an education program for those convicted of misdemeanors, who have not graduated from high school or received a GED.

Wisconsin revised its truancy laws (Act 285) to allow court-ordered education programs for students missing five out of 10 consecutive school days. School boards must adopt a truancy plan by September 1, 1989 including procedures for identification of truants, notification of parents, continuance of public awareness, and involvement of school personnel and community members. Alternatives that may be imposed on truants include counseling, attendance in children-at-risk programs, and revocation of driving privileges. This law also includes penalties for adults who contribute to the truancy of a child.

Driving Privileges. This innovative approach makes high school attendance or passing-level academic performance a prerequisite for the acquisition of a driver's license. Legislators hope that more students will complete high school if obtaining a driver's license is contingent on high school attendance.

West Virginia and Wisconsin implemented this approach in 1988. West Virginia's SB 14 links the privilege of operating a motor vehicle to school enrollment and attendance, and allows licenses to be revoked if students drop out of school. In Wisconsin, Act 285 allows truants' licenses to be suspended as a judicial disposition.

EARLY CHILDHOOD EDUCATION

As education research increasingly focuses on young children, legislative awareness of the need for early childhood education increases. Early childhood education can be instrumental in placing the young "at-risk" student on the road to educational success. These students are frequently from disadvantaged backgrounds, have developmental problems, or are children of teenage mothers.

The Colorado General Assembly passed HB 1331, which allocates funds for pilot programs for preschoolers with language development problems. These programs target young children who are having language difficulties and attempt to bring them up to par with other children in their age group. Districts have submitted applications to the Department of Education, and funds will be distributed on a 50 percent matching-grant basis.

Iowa lawmakers, in SF 2192, allocated $1.2 million for preschool programs for disadvantaged 4-year-olds, modeled after Head Start. The departments of education and social services will jointly administer this program. In another bill, SF 2295, the legislature directed the State Board of Regents to develop a center for early childhood education. Participants in teacher education programs will be involved in the development of the center.

Minnesota's Chapter 718 Education Finance Law allocates $500,000 for preschool programs for children identified as at risk. The programs will serve children ages 3-5 who have significantly slow development and are from families at or below poverty level.

TEACHING

Qualified teachers are essential to an effective education system. In an attempt to attract quality teachers to the profession, legislators are targeting potential teachers and drawing them

into the profession. The most innovative legislation passed in 1988 creates incentives for college students to major in education, and changes teacher certification requirements to ease the transition of non-teaching professionals to the field.

Student Incentives. Arizona and Idaho designed laws offering tuition reimbursement plans for potential teachers. In Idaho, HB 666 allows tuition waivers for up to 16 students in exchange for their agreeing to teach in the state for at least two years. Arizona's HB 2108 establishes a loan-forgiveness program offering a tuition-free education for participants entering the teaching field. Graduating students are obligated to teach in districts which have been identified as having large "at-risk" student populations.

Alternative Certification. Providing non-traditional channels for teacher certification is a method currently employed by some states to encourage well-educated, experienced professionals to become teachers. The 1988 Colorado legislature followed this example, set by California and New Jersey, by passing HB 1334. This bill allows people with baccalaureate degrees in other fields to teach. The traditional program through which most teachers in Colorado have been trained is not required for alternative certification participants. Instead, these prospective teachers must complete an alternative program of teacher preparation approved by the state board of education, and must pass a teacher-proficiency exam.

GOVERNANCE

Governance, an important issue in education policy discussions, addresses the question of who should make decisions regarding school policy. Some critics have commented that policymakers often are unaware of classroom activities and therefore may not have a clear understanding of school issues. To counter this problem, some states have passed innovative laws shifting decision making to the local level--usually to the schools and the educators. Conversely, some legislatures have found it necessary to create ways for the state to increase its governing power over school districts that are poorly managed at the local level.

Local Control. Delaware's SB 480 gives teachers and principals in seven schools an opportunity to have more decision-making responsibilities. Funds have been allocated for experimental programs to improve classroom or overall school organization. The principals and teachers have the responsibility to decide what alternative methods will be implemented in these programs.

School Takeover. States are concerned with monitoring school district management and have passed laws allowing the revocation of local control when districts are improperly managed. The prime example of legislation authorizing the takeover of a school district is New Jersey's "Academic Bankruptcy" initiative. Passed in 1987, CH 398-399 is an innovative approach that received nationwide attention throughout 1988. This law allows state officials to seize control of school districts that fail to meet minimum education standards. The district would remain under the governance of the state for at least five years.

SCHOOL FINANCE

School finance affects every area of school reform because few programs can be properly implemented without state money to back them up. State legislators, faced with the difficult task of directing state funds to school districts, are creating mechanisms that will distribute those funds equitably. In 1988 Colorado passed a comprehensive school finance act, HB 1341, which has numerous goals, including: the creation of a funding formula based on the financial needs of each district; the improvement of financial equity between districts; and the limitation of reliance on property taxes to support public education.

Under this law, school districts are divided into eight categories based on population, geography, cost-of-living factors and other criteria. Funding levels are set based on school

district expenditures within each category. The number of pupils and the number of classroom units within each district determine the funding received; the amount of funding given to each unit depends on the category within which the district has been placed.

COMMUNITY/PARENTAL INVOLVEMENT

State legislators are initiating programs to strengthen parental involvement in education and give community members opportunities to both participate in the education system and further their own educations. In 1988 legislators enacted laws encouraging community members to become involved in school improvements and creating new community education programs. Also, new legislation allows parents to choose the schools which their children attend, and home schooling laws attempt to resolve long-standing differences between parents and school policymakers.

Community Involvement and Education. To address the educational needs of adults, and to allow all citizens a chance to be more involved with education in their local areas, legislation has been passed providing educational services and opportunities for community members.

Georgia's 1988 legislature created community education grants with the passage of HB 1488. This bill authorized the Department of Community Affairs to extend grants to boards of education for the creation, administration, operation and coordination of community education programs and activities.

Minnesota's Chapter 718 expands schools' community services roles. Programs created by this law include: 1) free public secondary education for up to two years for adults who are over age 21 and do not have a high school diploma; 2) pre-kindergarten programs for young children who are developmentally delayed; and 3) community service programs aimed at promoting citizenship and addressing community needs through extended-day programs for students in grades K-6.

State legislators in Rhode Island passed HB 7923 to include community members in a special school committee to select educational programs that will receive extra state funding. Funds have been allocated for special programs in special education, vocational education, adult education and limited English-speaking education. The school committees will select the programs best suited for the community's needs.

Choice. Lawmakers have created various school choice plans allowing options for parents who have demanded more say in which schools their children attend. One popular method for educational choice is open enrollment--allowing parents to register their children in schools outside their home district. Both Iowa and Minnesota passed legislation in 1988 using the "open enrollment" approach.

With the passage of Chapter 718, Minnesota became the first state to allow parents to choose from any district in the state when deciding where their children will attend school. This law extends a 1987 choice plan allowing voluntary district participation. Now, districts must accept transferring students except when: 1) there is no room for the student; or 2) the transfer would disrupt the racial balance of the school. Funding follows the student, and transportation will be provided for low-income students.

In Iowa, SF 323 permits parents to enroll their children in schools outside of the home district. The bill includes a provision requiring parents to present evidence that the new school offers an academic program not offered in the original district. Another provision is that students must remain in the new school for at least four years, or until high school graduation. State per-pupil aid will go to the new district, but school property taxes will not be transferred and parents will not be charged additional costs. Parents are required to provide transportation

for their children to the new district, and schools must accept students unless there is not adequate space.

Home Schooling. The home schooling issue has generated controversy in the states for the last decade. For this reason, new laws are being created in an attempt to satisfy both the states' obligations to educate children, and the parents' right to make decisions regarding their children's education. Colorado, North Carolina, and South Carolina passed legislation in 1988 on the home school issue.

Colorado's SB 56 requires home school students to take a nationally normed achievement test at specified intervals. If the test score falls below the 13th percentile, the child must return to a public, private or parochial school.

Few states have a precise definition for home schools in their statutes. North Carolina's HB 837 defined a home school as "a non-public school in which one or more children of not more than two families or households receive academic instruction from parents...or a member from either household." This bill also mandates annual standardized testing, waives safety and sanitation requirements, and requires parent/teachers to have high school diplomas.

South Carolina's SB 457 states that parents with college degrees may teach their children at home. Parents without degrees must pass a basic-skills test before being allowed to conduct home school sessions for their children.

HIGHER EDUCATION

A college education is a prerequisite for advancement in today's competitive job market. Due to a rapid increase in technology, few jobs exist for people who have not graduated from high school. A job once requiring a high school diploma may now require a college education. States are responding to changes in educational demand with legislation aimed toward encouraging college enrollment and improving the construction of higher education systems.

Colorado and Kansas passed legislation in 1988 allowing high school students to attend classes at state higher education institutions. In Colorado, HB 1244 makes it possible for high school seniors to take classes at state colleges and universities, and receive high school or college credit. Kansas' SB 381 establishes an honorarium for high school students to take summer classes at universities and receive high school or college credit.

New Jersey concentrated its efforts on expanding construction at higher education institutions. The Jobs Education and Competitiveness Act of 1988 authorizes the issuance of state bonds to construct classrooms, academic buildings, libraries, computer facilities and other higher education buildings, and to construct advanced technology centers sponsored by the New Jersey Commission on Science and Technology.

SUMMARY

From Rhode Island's "Governor's Schools" to New Jersey's "Academic Bankruptcy" to Colorado's new school finance system, policymakers are demonstrating their ability to be creative and resourceful when addressing educational needs.

The NCSL Education Program would appreciate assistance in monitoring legislative initiatives in the area of education. Please forward information pertaining to the legislation discussed herein, or regarding approaches not included in this paper, to: Connie Koprowicz, NCSL Education Program, 1050 Seventeenth Street, Suite 2100, Denver, CO 80265.

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